

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

RACHEL ANNE ELROD, et al.,	)	
	)	
Plaintiffs,	)	
	)	NO. 3:20-cv-00617
v.	)	JUDGE RICHARDSON
	)	
NO TAX 4 NASH, et al.,	)	
	)	
Defendants.	)	

**ORDER**

Pending before the Court is Plaintiff’s “Unopposed Motion for Approval of *Cy Pres* Beneficiary the League of Women Voters of Tennessee.” (Doc. No. 162, “Motion”). “[*C*]*y pres* refers to the practice of distributing settlement funds not amenable to individual claims or meaningful pro rata distribution to nonprofit organizations whose work is determined to indirectly benefit class members.” *Frank v. Gaos*, 139 S. Ct. 1041, 1045 (2019). In deciding among *cy pres* distribution options, a court should “account for the nature of the plaintiffs’ lawsuit, the objectives of the underlying statutes, and the interests of the silent class members.” *In re Google Inc. St. View Elec. Commc’ns Litig.*, 21 F.4th 1102, 1116 (9th Cir. 2021) (quoting *Nachshin v. AOL, LLC*, 663 F.3d 1034, 1036 (9th Cir. 2011)).

Plaintiff’s Motion states that “the League of Women Voters of Tennessee [is] a nonpartisan, nonprofit political organization” that is a “particularly appropriate recipient for any unclaimed funds in this case, which concerns a dispute arising from political participation in the democratic process.”<sup>1</sup> (Doc. No. 162 at 2). Upon review, the Court finds that this selection is in

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<sup>1</sup> From a review of the website of the League of Women Voters of Tennessee, the organization appears to take positions on a variety of issues, some clearly not directly related to “vot[ing]” as such. This might suggest to some observers,

accordance with the nature of the case and the interests of the underlying class members.

Accordingly, the Motion is **GRANTED**.

IT IS SO ORDERED.

  
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ELI RICHARDSON  
UNITED STATES DISTRICT JUDGE

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depending on their interpretation of the term “non-partisan,” that the organization is not accurately described as “non-partisan.” But the Court believes that the Court can grant the Motion for the reasons set forth herein without embracing or rejecting the notion that the organization is nonpartisan.